

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Fairfield Sentry Limited, et al.,

Debtors in Foreign Proceedings.

Fairfield Sentry Limited (In Liquidation),

Plaintiff

-against-

Theodoor GGC Amsterdam, et al.

Defendants.

This Notice of Motion to Dismiss is related to
the Following Adversary Proceeding:

10-03635

Chapter 15 Case

Case No. 10-13164 (CGM)

Jointly Administered

Adv. Pro. No. 10-03496 (CGM)

Administratively Consolidated

ORAL ARGUMENT REQUESTED

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law filed by Defendant Banca Arner S.A. n/k/a One Swiss Bank (“Banca Arner”) in support of its Motion to Dismiss the Plaintiffs’ Fifth Amended Complaint dated August 11, 2021, in the above-captioned action, set forth at Exhibit A hereto, and all prior pleadings and proceedings herein, Banca Arner will move this Court for an order dismissing with prejudice the complaint filed by the Liquidators of Fairfield Sentry Limited and Fairfield Sigma Limited, pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure, made applicable here by Rule 7012 of the Federal Rules of Bankruptcy Procedure.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 7012(b) of the Federal Rules of Bankruptcy Procedure, Banca Arner does not consent to the entry of final orders or judgment by this Court.

Dated: October 29, 2021
New York, New York

DLA PIPER LLP (US)

/s/ Rachel Ehrlich Albanese

Rachel Ehrlich Albanese
Jeffrey D. Rotenberg
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